

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Epixtar  
Communications Corp. for Registration as an  
Interexchange Carrier Telephone Corporation  
Pursuant to the Provisions of Public Utilities  
Code Section 1013.

A.03-01-016  
(Filed January 14, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING MOTION FOR ACCEPTANCE OF LATE-FILED PROTEST  
AND SETTING PREHEARING CONFERENCE**

On May 20, 3003, the Commission's Consumer Protection and Safety Division (CPSD) filed a motion to accept its late-filed protest of the instant application. In the protest, CPSD alleges that the applicant has several pending enforcement actions against it that it did not reveal in its application. In its response to the motion, the applicant said that the pending actions were not required to be revealed in the application. CPSD's protest raises questions regarding the applicant's fitness to provide telecommunications services in California. As a result, I find that the public would be best served by acceptance of the protest, and an investigation of the matters addressed therein.

Therefore, **IT IS RULED** that:

1. The motion of Consumer Protection and Safety Division to accept its late-filed protest is granted.

2. A prehearing conference will be held at 10:00 a.m. on July 8, 2003, at the Commission Courtroom, State office Building, 505 Van Ness Avenue, San Francisco, California.

Dated June 13, 2003, at San Francisco, California.

/s/ JEFFREY P. O'DONNELL

Jeffrey P. O'Donnell  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion for Acceptance of Late-Filed Protest and Setting Prehearing Conference on all parties of record in this proceeding or their attorneys of record.

Dated June 13, 2003, at San Francisco, California.

/s/ HELEN FRIEDMAN  
Helen Friedman

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

